

BILL NO 58 - 2010

AN ORDINANCE AMENDING THE CITY OF READING CODIFIED ORDINANCES CHAPTER 1 ADMINISTRATION AND GOVERNMENT PART 5 BOARDS, DEPARTMENTS, COMMISSIONS, COMMITTEES AND COUNCILS B. BOARD OF HEALTH 511 ESTABLISHMENT BY AMENDING THE REMOVAL PROCESS FOR MEMBERS OF THE BOARD OF HEALTH

NOW, THEREFORE, THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending the City of Reading Codified Ordinances Chapter 1 Administration and Government Part 5 Boards, Departments, Commissions, Committees and Councils B. Board of Health by amending the removal Process for members of the Board of Health as follows:

Removal - Any member may be removed for misconduct or neglect of duty or for other just cause by a majority vote of Council taken after the member has received fifteen days advance notice of the intent to take such vote. Failure of a member to attend three (3) consecutive regular meetings of the Board will constitute grounds for immediate removal from the Board by City Council. Failure of a member to attend at least 50% of the regular meetings of the Board in a calendar year will constitute grounds for immediate removal from the Board by City Council. The Chairperson of the Board shall inform the City Clerk in writing when a member has failed to comply with this attendance policy. Following such notification, City Council may vote to remove the member and seek applicants to fill the vacant position.

SECTION 2. All other parts of the Ordinance remain unchanged.

SECTION 3. This Ordinance shall be effective in ten (10) days, in accordance with Charter Section 219.

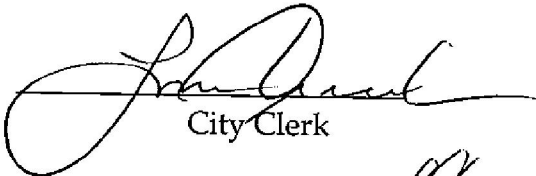
Enacted Aug 23, 2010

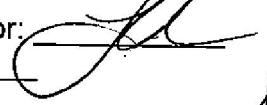
I, LINDA A. KELLEHER, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original Ordinance passed by the Council of the City of Reading, on the 23 day of Aug, A. D. 20 10. Witness my hand and seal of the said City this 23 day of Aug, A. D. 20 10.


CITY CLERK


Council President

Attest:


City Clerk

Submitted to Mayor: 
Date: 8/24/10

Received by the Mayor's Office: 
Date: 8/24/10

Approved by Mayor: 
Date: 8/25/10

Vetoed by Mayor: _____
Date: _____

B. BOARD OF HEALTH

§ 1-511 ESTABLISHMENT; MEMBERS

Creation. A Board of Health is hereby created in the City of Reading, Pennsylvania, to consist of five (5) members and two (2) alternates.

Appointment. The members of the said Board shall serve without compensation and shall be appointed by the Mayor with the approval of the Council. No member of City Council shall be appointed as a member of the Board of Health.

Residency. All members of the Board of Health shall be residents of the City. If a qualified Board of Health cannot be established as set forth herein with residents of the City, alternatively members may be selected from persons with a significant business interest in the City.

Membership. The Board of Health shall be comprised of at least one representative of each of the following:

1. a person certified by the state or appropriately licensed in the area of Environmental Health;
2. a person state certified or appropriately licensed in the study of Infectious Diseases;
3. a person state certified or appropriately licensed as a Public Health Practitioner;
4. person certified and licensed to practice by the State Board of Medicine, the State Board of Veterinary Medicine, the State Board of Pharmacy, or the State Board of Nursing to be engaged in a medical, medically related or health care profession or business; and
5. a representative of the citizens of the City of Reading.

One alternate shall be selected from any of the aforementioned professional fields with preference given to an individual representing a licensed profession not already represented on the Board. The second alternate shall be a resident of the City who does not need to possess any of the qualifications stated above.

The inclusion of a state certified physician, veterinary, pharmacist and nurse specifically enumerated in 4 above does not preclude such from qualified under numbers 1-3 above if they are certified and/or licensed in the areas specified therein. If a licensed or certified professional from one of the above-named areas cannot be identified to serve on the Board, the Mayor, with the approval of City Council, may appoint any individual who has experience or is knowledgeable of public health issues relating to the field for which they are being selected to represent. Alternatively, if all fields are unable to be represented and more than one individual is qualified in one of the aforementioned fields a second such person may qualify to fill the unfilled position of an unrepresented field.

Term. At the first appointment Council shall designate one (1) of the members to serve for one (1) year, one (1) for two (2) years, one (1) for three (3) years, one (1) for four (4) years and one (1) for five (5) years, from January 1, 2006 and thereafter one (1) member of the said Board shall be appointed annually to serve for the term of (5) years from January 1 succeeding his appointment.

~~Removal. The Mayor may remove any or all of the members of said Board for official misconduct or neglect of duty and may fill any vacancy for any unexpired term with the approval of Council. A Board Member shall be removed automatically if they fail to attend three (3) consecutive meetings without reasonable excuse.~~

Removal - Any member may be removed for misconduct or neglect of duty or for other just cause by a majority vote of Council taken after the member has received fifteen days advance notice of the intent to take such vote. Failure of a member to attend three (3) consecutive regular meetings of the Board will constitute grounds for immediate removal from the Board by City Council. Failure of a member to attend at least 50% of the regular meetings of the Board in a calendar year will constitute grounds for immediate removal from the Board by City Council. The Chairperson of the Board shall inform the City Clerk in writing when a member has failed to comply with this attendance policy. Following such notification, City Council may vote to remove the member and seek applicants to fill the vacant position

Oath. Each member of the Board of Health shall take an oath of office.

§1-512 PURPOSE.

- A. To prevent or diminish the introduction or further spread of infectious or contagious diseases.
- B. To prevent, abate or remove conditions found to be detrimental to the public health.

§ 1-513 ORGANIZATION

President. The Board shall elect a president annually from among the members. Duties of the President shall include:

Preside at all meetings of the Board.
See that all orders of the Board are carried out.
Report to City Council.

Vice-President. The Board shall elect a Vice-President.
The Vice President of the Board shall fulfill all duties of the President in his/her absence.

Secretary. The Board shall appoint a Secretary who is not a Board member and who is qualified in the secretarial arts. Duties of the Secretary shall include:

Keep the minutes of the proceedings of the Board.
Prepare, under the direction of the Board, the annual report to Council.
Assist the City Health Officer in the preparation of reports to the State Department of Health as are required by law or by rule or regulation of the Department. Any annual report of the Local Board of Health must be submitted to the local State office.
At the direction of the Board of Health, issue and respond to all correspondence from and to the Board of Health.
Issue all notices to the newspaper for publication.
Prepare any other reports and perform such other duties as are required of him/her by law of the Board of Health.

§ 1-514 POWERS AND DUTIES

It shall be the duty of the Board of Health to enforce the laws of the Commonwealth of Pennsylvania and the article of the City of Reading enacted for the protection of the public health.

To undertake the aforesaid duty the Board of Health shall:

- Monitor the health status of the City of Reading to identify community problems;
- Diagnose and investigate health problems and health hazards in the City of Reading;
- Inform, educate and empower the citizens and residents of Reading about health issues;
- Mobilize community partnerships and take action to solve problems; and
- Analyze and develop policies and plans that support individual and community health efforts.

To exercise all the rights and perform all the duties and obligations conferred and imposed upon like Boards of Health in cities of the Third Class of the Commonwealth of Pennsylvania by all Acts of Assembly which may not be in force or hereafter passed in reference to the same that are not performed by other Boards, Commissions or Authorities or Departments of the City of Reading.

The Board of Health shall have power to make and enforce such orders and regulations as may be necessary to carry out its aforesaid duties and obligations so long as the Council shall approve such regulations. The Board of Health shall have the authority to publish and enforce its rules and regulations.

The Board of Health shall have the right to conduct investigations and to hold public hearings in the performance of its duties and powers. The Board of Health may require the attendance of witnesses and their books and papers.

The Board of Health shall transmit to the State Department of Health all of its reports and publications and such other information regarding public health in the City as may be requested by the Department.

§1-515 MEETINGS

Scheduled. The Board of Health shall meet on the first Wednesday of each month. A list of the regularly scheduled monthly meetings for the upcoming year will be published in the newspaper in December.

Emergency. If the President of the Board of Health declares an emergency, he may call an emergency meeting. Twenty-four (24) hour notice of an emergency meeting must be given to the public. An emergency would include but not be limited to the existence of a condition which would immediately endanger public health, or the development of any other serious situation in which the President believes that action by the Board of Health is necessary for public safety.

Quorum. For the purpose of holding any meeting, the Board shall be at least Fifty Percent (50%) or more of the membership.

Open to the Public. The Board of Health meetings shall be open to the public and shall be held at such places where the general public has unhampered access to such meetings.

Minutes. The said Board shall keep regular minutes of its meetings.

Rules and Regulations. The Board shall have the power to adopt rules and by-laws to govern its meetings and organization.

§ 1-516 ADVISORS

Advisors to the Board of Health shall be as follows:

Health Officer. Under §1-171 of the Administrative Code, City Health Officer, the City of Reading shall have a City Health Officer appointed by the Mayor. The Health Officer shall advise the Director of Community Development and the Health Officer or his/her designee shall attend all Board of Health meetings in an advisory capacity.

Codes Services Official. The Director of the City of Reading Codes Services Department or his/her designee shall attend all Board of Health meetings in an advisory capacity on issues under his/her purview and Department.

Legal. The City of Reading Legal Specialist or his/her designee shall attend all Board of Health meetings in advisory capacity and advise on all legal/law issues.

Others. The Board of Health may request the attendance of other City Officials as may be necessary from time to time to address or advise on an issue before it. For example, the Board may request the attendance of the Codes or Health Inspector for a premises in question.